



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE: **C-1**

July 24, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESCIND AND REAWARD
PROJECT ID NO. FMD0001026
CATCH BASIN CLEANOUT 2003, WEST MAINTENANCE AREA, UNIT 2
SUPERVISORIAL DISTRICTS 1, 3, AND 5
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Rescind the award of Project ID No. FMD0001026, Catch Basin Cleanout 2003, West Maintenance Area, Unit 2, in the vicinities of Highland Park, Sherman Oaks, and Burbank (1, 3, and 5), in the amount of \$78,401.79, to Fernando's Cleaning Company, 1283 East 48th Street, Los Angeles, California 90011.
2. Instruct the Director of Public Works to notify the contractor of the Board action taken.
3. Award the contract to J & G Maintenance in the amount of \$83,285.55.
4. Instruct the Director of Public Works or his designee to prepare the contract in the form previously approved by County Counsel, execute the contract, and establish the effective date of the contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On May 20, 2003, a contract for the cleaning of 8,721 catch basins at various locations in the west area of the County was awarded to Fernando's Cleaning Company, in the amount of \$78,401.79. On May 21, 2003, the contract documents were sent to the contractor with instructions to execute the contract and return it along with insurance policies and/or certificates required by the specifications.

On July 16, 2003, 58 days after award of the contract, Fernando's Cleaning Company submitted an invalid automobile liability insurance certificate. The producer of the policy listed on the certificate submitted by Fernando's Cleaning Company confirmed that a policy was never issued as represented on the certificate. Because of the serious nature of this infraction, we recommend that the award be rescinded. County Counsel concurs with this recommendation.

The enclosure includes the project description, the call for bids and bid opening date, a tabulation of the bids, and financial information. It is recommended that the contract be awarded to the second low bidder since the catch basins must be cleaned before the rainy season in order to comply with the requirements of various regulatory agencies. Because of this time constraint, readvertising the project is not a feasible alternative. In addition, the amount of the second low bid is 10 percent below the estimate. Therefore, we recommend awarding the contract to the second low bidder, J & G Maintenance.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will reduce the probability of flooding due to plugged catch basins and also prevent debris from entering the receiving waters.

FISCAL IMPACT/FINANCING

We will seek the forfeiture of the contractor's bid bond to defray the difference in cost between the low bid and the second low bid. Sufficient funds for this project are available to the Flood Control District for the Fiscal Year 2003-04.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The plans and specifications include contractual provisions, methods, and material requirements necessary for this project. The contract agreement will be in the form previously approved by County Counsel. Awarding to the second low bidder, upon failure of the low bidder to properly execute the contract, is provided for in the Public Contract Code.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Class 1, Subsection (e), of the revised County Environmental Document reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONTRACTING PROCESS

Subsection III of the Contract Specifications provides for the annulment of the award and the forfeiture of the proposal guaranty upon failure of the awardee to properly execute the contract.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The delay in the cleaning of the catch basins will have a minor impact on current services in that only a relatively small number of catch basins may not be cleaned before October 15, 2003, the beginning of the rainy season.

The Honorable Board of Supervisors
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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
July 24, 2003

PROJECT ID NO. FMD0001026, CATCH BASIN CLEANOUT 2003,
WEST MAINTENANCE AREA, UNIT 2, (in the vicinities of Highland Park,
Sherman Oaks, and Burbank), Supervisorial Districts 1, 3, and 5

TYPE OF WORK: Cleaning of 8,721 catch basins at various locations in the west area
of the County.

CALL FOR BIDS DATE: April 8, 2003 (Synopsis 45)

BID OPENING DATE: May 6, 2003

BID SUMMARY:

Low *J & G Maintenance	\$ 83,285.55
10345 San Antonio Avenue, Suite F	
South Gate, California 90280	
(323) 566-4960	
2 *Ron's Maintenance	\$122,094.00

*MWBE

On May 20, 2003, your Board awarded a contract for this work to Fernando's Cleaning Company. However, irregularities in insurance documents require that this award in the amount of \$78,401.79 be rescinded.

FINANCIAL INFORMATION:

Amount of estimate	\$ 92,210.00
Amount of recommended contract	\$ 83,285.55
Amount of recommended contract below estimate	\$ 8,924.45

The amount of the recommended contract is 10 percent below the estimate.

Sufficient funds for this project are available to the Flood Control District for the Fiscal Year 2003-04.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

J & G Maintenance, an MWBE, has no MWBE subcontractors/suppliers under this contract, which does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsection (e), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 50 working days. It is estimated that the work will start in August and be completed in October 2003.

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